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MAR 29 2010 DJ

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

MART LIIKANE,  
Plaintiff,  
V.  
RHONDA BAKER  
JOHN ADAMS  
JAMES RUESKEN  
THOMAS BIGSBY  
CITY OF EVERETT  
ABC LEGAL SERVICES  
ADAM SHANTZ  
SCARFF & WILSON, PLLC  
TODD W. WILSON,  
Defendants.

NO. CV10 537 RSL

CIVIL COMPLAINT  
WITH JURY DEMAND



10-CV-00537-CMP

I JURISDICTION

The United States District Court, Western District of Washington at Seattle has the original jurisdiction in this civil action pursuant to Title 28 § 1343 (1)(2)(3)(4).

II PARTIES

Plaintiff, Mart Liikane, is an architect in State of Washington and State of Hawaii.

Civil Complaint ...

ORIGINAL

- 1 (2.2) Rhonda Baker is a property owner who filed a lawsuit against  
2 Liikane for recording a Lis Pendens for nonpayment for the  
3 architectural and engineering services rendered on her properties.  
4 (2.3) John Adams is Rhonda Baker's attorney.  
5 (2.4) James Ruesken is a building contractor who bought one of  
6 the Baker's property.  
7 (2.5) Thomas Bigsby is Ruesken's attorney.  
8 (2.6) City of Everett is a Municipal Corporation.  
9 (2.7) ABC Legal Services, is a Washington corporation.  
10 (2.8) Adam Shantz is process server for ABC Legal Services.  
11 (2.9) Scarff & Wilson, PLLC is a law firm representing ABC Legal  
12 Services and Adam Shantz.  
13 (2.10) Todd W. Wilson is an attorney representing ABC Legal  
14 Services and Adam Shantz.

15  
16 III FIRST CLAIM FOR RELIEF - Breach of  
17 contracts and perjury.

18 (3.1) Rhonda Baker hired architect Liikane to design two apart-  
19 ment buildings in Everett. She herself wrote the written con-  
20 tract with Liikane. Baker breached all these contracts and has  
21 to this day refused to pay for the architectural and engineering  
22 services rendered. During her deposition, taken by City of Eve-  
23 rett, she committed perjury several times.

24 (3.2) Instead of compensating Liikane for his services she  
25 filed a lawsuit against him and Liikane answered and made a  
26 counter-claim.

1 IV SECOND CLAIM FOR RELIEF - Obstruction of  
2 justice and perjury; misrepresentation and abuse of due process.

3 (4.1) Each of the above allegations are incorporated herein by  
4 reference.

5 (4.2) Mr. Adams, as Baker's, attorney with his actions or inactions  
6 has for three times refused to bring Baker to her requested  
7 depositions. These were written requests for her oral examination.  
8 Liikane has attempted, verbally, to arrange for the deposition and  
9 Adams has refused to this day.

10 (4.3) Adams has made motions and has lied in court and with  
11 all these misrepresentations has falsely obtained orders to  
12 dismiss Liikane's counter-claim. Adams has not followed the  
13 court rules and with that he has abused the due process.

14 V THIRD CLAIM FOR RELIEF - Obstruction of justice  
15 and perjury; attempting to obtain a default judgment against  
16 Liikane, when Ruesken has not even served the Summons and  
17 Complaint on Liikane as required by law; total abuse of process.

18 (5.1) Each of the above allegations are incorporated herein by  
19 reference.

20 (5.2) Evidently Ruesken filed a lawsuit against Liikane and to  
21 this day he has not served the Summons and Complaint on Liikane.  
22 Ruesken has committed perjury by declaring falsely that Liikane  
23 has been served, appeared and answered. He knowingly filed a  
24 motion for default judgment against Liikane abusing the due  
25 process, and with it obstructing justice.

1 VI FOURTH CLAIM FOR RELIEF - For malpractice, fraud,  
2 misrepresentation, perjury and obstruction of justice.

3 (6.1) Each of the above allegations are incorporated herein by  
4 reference.

5 (6.2) Attorney, Thomas Bigsby, for James Ruesken has committed  
6 fraud, perjury, made misrepresentations in court and with all  
7 these illegal activities he has obstructed justice. See EX. "A"

8 VII FIFTH CLAIM FOR RELIEF - Abuse of due process,  
9 obstruction of justice and violation of U.S. Constitution.

10 (7.1) Each of the above allegations are incorporated herein by  
11 reference.

12 (7.2) City of Everett abused the due process by filing a motion  
13 for summary judgement knowing full well that many, many questions  
14 of fact exist for a jury to decide and with it the constitutional  
15 right for a jury trial has been taken away from Liikane.

16 Again, obstruction of justice has been committed by the City.

17 VIII SIXTH CLAIM FOR RELIEF - Abuse of due process,  
18 perjury and obstruction of justice,

19 (8.1) Each of the above allegations are incorporated herein by  
20 reference.

21 (8.2) ABC Legal Services, hired by Bigsby, abused the process by  
22 sending out Adam Shantz to serve Summons and Complaint on Mark  
23 Garriss, Liikane's tenant and then committing perjury by under  
24 oath declaring that Liikane was served. (To this moment Liikane  
25 has not been served with that particular Summons and Complaint)  
26 With all these fraudulent claims they have obstructed justice.

27 Civil Complaint ....

IX SEVENTH CLAIM FOR RELIEF - Abuse of due process,  
perjury and obstruction of justice.

(9.1) Each of the above allegations are incorporated herein by  
reference.

(9.2) Adam Shantz served the Summons and Complaint on Mark Garri  
and committed perjury and fraud by under oath declared that he  
served the Summons and Complaint on Liikane. This is all done  
to damages to Liikane and obstruction of justice has occurred.

X EIGHTH CLAIM FOR RELIEF - Abuse of due process,  
unlawfully obstructing Liikane's access to evidence, obstruction  
of justice.

(10.1) Each of the above allegations are incorporated herein by  
reference.

(10.2) Scarff and Wilson represent ABC Legal Services and Adam  
Shantz and they are obstructing Liikane's access to evidence by  
avoiding the called for depositions of ABC Legal Services and  
of Adam Shantz. Therefore, the abuse of due process and with it  
the obstruction of justice.

XI NINTH CLAIM FOR RELIEF - Abuse of due process,  
failing to make reasonably diligent effort to comply with a  
legally proper discovery request, obstruction of justice.

(11.1) Each of the above allegations are incorporated herein by  
reference.

(11.2) Todd Wilson, attorney for ABC Legal Services and Adam  
Shantz, has been served with the requests for depositions of his  
clients and he has refused to accomplish this task.

1 Due to the violations of due process of law and U.S. Constitution  
2 and corruption(perjury, abuse of due process of law, preventing the  
3 plaintiff of having fair jury trial, by making motions for summary  
4 judgments, while many issues of material facts exist for a jury to  
5 decide and by preventing taking depositions and judges issuing  
6 orders of dismissal to prevent plaintiff of having jury trials,  
7 his constitutional right.

8 Because of all of these underhanded and unjust activities the  
9 plaintiff has and still is suffering under great mental and  
10 physical stress causing health problems on top of his five by-  
11 pass open heart surgery with number of follow-up surgeries.

12 WHEREFORE, the plaintiff asks and prays for the following relief:

13 (1) That justice be administered and judges uphold their oath of  
14 office and uphold the U.S. Constitution and behave impartially  
15 and stop discriminating against pro se defendant and plaintiff  
16 (judges dismiss the claims and counter-claims by not upholding  
17 the requirements of the Summary Judgment Rule 56).

18 (2) That the jury trial be ordered, as a constitutional right of  
19 the plaintiff.

20 (3) That due to the violations of the 14th Amendment of U.S. Const.  
21 by the defendants, the plaintiff recover the damages inflicted  
22 upon the plaintiff by the defendants.

23 (4) That plaintiff recover and be awarded one million dollars  
24 for his losses, pain and suffering, together with all the other  
25 violations of the law by the defendants.

26 (5) For such other relief as the Court and or jury deems just  
27 and equitable.

28 Civil Complaint .... -6-

1  
2 DATED this 27th day of March, 2010.  
3  
4  
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6

7 Märt Liikane, Plaintiff

8 1608 Aurora Ave. N.  
9 Seattle, Wa. 98109  
10 (206) 484-6981

11 Defendants:

12 Rhonda Baker  
13 4503 East Lake Goodwin Road  
14 Stanwood, Wa. 98292  
15 (425) 876-0885

City of Everett  
2930 Wetmore Ave., Suite 10-C  
Everett, Wa. 98201  
(425) 257-7000

16 John M. Adams  
17 11820 Northup Way, #E200  
18 Bellevue, Wa. 98005  
19 (206) 734-7525

ABC Legal Services, Inc.  
633 Yesler Way  
Seattle, Wa. 98104  
(206) 521-9000

20 James Ruesken  
21 P.O. Box 8  
22 Marysville, Wa. 98270  
23 (260) 652-4896

Adam Shantz  
Same as ABC Legal Services

24 Thomas D. Bigsby, PLLC  
25 1907 Everett Ave.  
26 Everett, Wa. 98201  
27 (425) 259-5511

Scarff & Wilson, PLLC  
3035 Island Crest Way, Ste 201  
Mercer Island, Wa. 98040  
(206) 236-1500

Todd W. Wilson  
Same as Scarff & Wilson, PLLC

**EXHIBIT**

44

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR SNOHOMISH COUNTY

MART LIIKANE,  
Plaintiff,

V.

THOMAS D. BIGSBY,  
ABC LEGAL SERVICES, INC.  
Defendants:  
A. SHANTZ 0109175

NO.

COMPLAINT FOR MALPRACTICE,  
FOR FRAUD, MISREPRESENTATION,  
PURJURY AND OBSTRUCTION OF  
JUSTICE

COMES NOW plaintiff, Mart Liikane, and for his first cause of  
action against defendant, alleges and avers as follows:

I

Plaintiff, Mart Liikane, is an architect and contractor doing  
business in State of Washington.

II

Defendant, Thomas D. Bigsby, is presumably attorney at law doing  
business in State of Washington.

III

The defendant is presumably representing James and Patricia Rues-  
ken, husband and wife.

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IV

The Superior Court of the State of Washington for Snohomish Co. has the juristiction in this case.

V

On August 12,2008 the plaintiff filed a lien against the property at 3726 Wetmore Ave. in Everett,Wa. for the architectural and construction services rendered for which he has never been compensated.

VI

On August 13,2008 the owner of the property Mr. BRuesken responded to this lien. On August 20,2008 the plaintiff received a threatening letter from the defendant Thomas D. Bigsby.

VII

The plaintiff immediately called the defendant and responded to his threatening letter,indicating that the plaintiff will remove the lien as soon as he will be payed for his services. (this is the only phone call and conversation with the defendant that the plaintiff has ever had)

VIII

The plaintiff has never been served,received ,seen or read the Summons and Complaint from the defendant.

IX

On Dec. 15th2008 Mark Garris answered his door bell at 1608 Aurora Ave. N. Apt. "A" and saw a stranger who asked what was Mark's name? Mark, still half asleep, Mark Garris he said. Immediately thereafter the stranger thrusted some papers at Mark and left before Mark could realize that these were supposed Complaint ..... -2-

COPY

1 to be given or served to MArt Liikane instead. Mark send them  
2 back, with a letter and a copy to the Snohomish County Clerk's  
3 office.

4 X

5 The plaintiff, MArt Liikane, does not live at 1608 Aurora Ave.N.  
6 at all and to this day has not received or has not been served  
7 with Summons and Complaint from the defendant or his client.

8 XI

9 On Jan.10,2009 the plaintiff found an envelope from Mr.Bigsby,  
10 in which the plaintiff found a copy of a civil motion for default  
11 fausely made confirmation of a telephone appearance with a  
12 certificate of service; a fraudulent motion and declaration for  
13 order of default; fraudulent and falsely made declaration under  
14 penalty of perjury; people finder historic tracker record  
15 (incomplete); declaration of service of summons and complaint  
16 to remove lien and for damages(which the plaintiff has never  
17 been served or seen or read); again,under the penalty of perjury  
18 A.Shantz 0109175 (whoever he or she is?) fraudulently declares  
19 that MArt Liikane was duly served the summons and complaint on  
20 Dec.16,2008.; finally,the order of default(proposed) for Judge's  
21 or Court Commissioner's signature.

22 For his second cause of action against the defendant,plaintiff  
23 alleges and avers as follows:

24 Plaintiff realleges and incorporates herin paragraphs I thruXI

25 I

26 The defendant has fraudulently and falsely produced documents

27  
28 Complaint .....

COPY

1 for the Court, constituting official misconduct in an attempt to  
2 find the plaintiff in default by not answering the summons and  
3 complaint within the required 20 day period and therefore the  
4 defendant is attempting to collect damages and get the Court to  
5 throw the case out of the judicial system, constituting obstruc-  
6 tion of justice. (How can the plaintiff appear or answer the  
7 summons and complaint, which he has never been served, received,  
8 seen or read) It is a physical impossibility.

9 The plaintiff had open heart surgery (5 by-pass) and is in a  
10 critical situation as far as stroke and heart attack is concerned  
11 (part of the heart muscle is dead) and according to the doctors  
12 he has to be free from any stress.

13 The wrongful actions of the defendant - threats, perjury, misconduct,  
14 obstruction of justice, lies and misrepresentations have done  
15 great damage to the plaintiff by way of stress, pain and suffer-  
16 ing as well as damaging his reputation as an architect which in  
17 turn has caused loss of commissions and jobs.

18 WHEREFORE, plaintiff prays for the following relief:

- 19 1) That the plaintiff be awarded \$660,000.00 for punitive  
20 damages mentioned above.
- 21 2) That the plaintiff recover all fees and expenses incurred  
22 in defending the defendant's fraudulent and false motions  
23 and actions.
- 24 3) That the plaintiff recover all court costs and such other  
25 relief as the jury deems just and equitable.

26  
27 Complaint .....

-4-

28  
COPY

1 4) That the defendant be required to follow the Washington  
2 Court Rules, without any exceptions and favors.  
3  
4

5 DATED this 20<sup>th</sup> day of January, 2009.  
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13 Märt Liikane, Attorney of record  
14 1608 Aurora Ave. N.  
15 Seattle, Wa. 98109  
16 (206) 484-6981  
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**EXHIBIT**

"A"

SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR SNOHOMISH COUNTY

MART LIKANE,  
Third party  
Plaintiff,

v.

CITY OF EVERETT,  
DAVID TYLER  
ALLAN GIFFEN  
JAMES and CATHY RUESKEN,  
Third party  
Defendants.

NO. 08 2 10255 4

THIRD PARTY COMPLAINT

Third Party Complaint

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THIRD PARTY COMPLAINT

COMES NOW, THE THIRD PARTY PLAINTIFF, Murt Liikane and alleges  
and avers as follows:

I

Third party plaintiff, Murt Liikane, is a licensed architect  
registered to do business in States of Washington and Hawaii.

II

Third party defendant City of Everett is presumed to be a in-  
corporated City, in State of Washington.

Third party defendant David Tyler is presumed planner for City  
of Everett's Planning and Community Development Department.

Third party defendant Allan Giffen is presumed to be Director of  
the Planning and Community Development Department.

Third party defendants James and Cathy Ruesken are presumed to  
be the new owners of the property located at 3726 Wetmore Ave. in  
Everett, Wa.

III

The plaintiff, Rhonda Baker, and the third party plaintiff, Murt  
Liikane, on or about October 3, 2006, entered into a architectural  
contract, in which Liikane as an architect was to design two  
apartment buildings (one at 3313 Oakes Ave. and the other at  
3726 Wetmore Ave., both in Everett, Wa.) She breached that contract.

IV

Before beginning the design, Liikane consulted with the City of  
Everett's building department and with their officials. Liikane  
wanted to be certain about all of the zoning and building code

Third party complaint

1 requirements, within which to design the buildings.

2 V

3  
4 During the design and working-drawing phases of the projects,  
5 Baker and Liikane on several occasions met with the building  
6 department officials, making certain that all was correctly on  
7 track. All was well with the few corrections to the code require-  
8 ments. Baker quit her regular job, in order to designate her  
9 entire efforts and full attention to the projects at hand. Oakes  
10 property had a old house on it. It was <sup>P</sup>empty and squatters moved  
11 in and wrecked the place and set on fire. City of Everett did  
12 request that the building be demolished. Baker entered into  
13 another contract with Liikane to demolish the structure, with a  
14 stipulation that Liikane will provide the labor and Baker will  
15 pay directly to Rubatino for the dumpsters and dumping fees.  
16 Initially Baker paid Rubatino and then did not pay and Rubatino  
17 sued Liikane for the balance. Liikane had to defend, counterclaim  
18 and drag in the third party defendant Baker. Finally Mr. ~~Mr.~~ J.  
19 Kirchgesner, presumably the husband of Baker, did agree to pay  
20 the Rubatino directly if Liikane will remove the lis pendens  
21 which he had placed on the property in order to enforce the origi-  
22 nal contract. Baker breached that contract as well.

23 VI

24 Working-drawings were pretty well completed and obviously Baker  
25 wanted to receive some idea of the construction cost estimate.  
26 Liikane recommended that she obtain at least three contractors  
27 who would give her a preliminary estimate. She obtained one Mr.  
28 J. Ruesken with whom Liikane met few times to go over the plans  
Third party complaint

1 and construction details. Mr. Ruesken was very evasive and did  
2 not provide detailed construction cost breakdown ,instead he  
3 wanted to build with the old "stick" method out of wood. Liikane  
4 and Baker had agreed on a better system,namely "The Quad-Loak  
5 Building Solution". This is a construction system with great  
6 advantages over wood construction: fire proof;reinforced concrete  
7 resistant to rot with good insulation value; quick and easy to  
8 install.

#### 9 VII

10 Baker began to complain to Liikane that she is having financial  
11 problems: mortgage to pay; she quit her regular job etc. City  
12 refused to continue the building permit process and would not  
13 grant a permit, on basis of design as not meeting their some kind  
14 of guide lines, and therefore,a conspiracy between City,Baker  
15 and Ruesken took shape and Baker refused to compensate Liikane  
16 for all of his work and services rendered up to date,blaming  
17 Liikane for not obtaining a building permit.

18 Liikane was willing to challenge the City on the U.S.Constitutio-  
19 nal basis (Am.I and Am.IV) but Baker refused-fired Liikane,with-  
20 out pay,sold "Wetmore Property" to Ruesken. Liikane,in order to  
21 protect his work,did place a lis pendens on the property and  
22 later filed a Lien as well. Lis pendens was filed on "Oakes  
23 Property". Baker breached both the architectural and construction  
24 contracts,and sued Liikane instead.

#### 25 VIII

26 On February 22,2008 Allan Giffen issued a unconstitutional order  
27 to stop the building permit process on eight unit apartment  
28 building at 3313 Oakes Ave.with the following : "Note: The Planning  
Third party complaint



1 Director has the authority to require changes to project design  
2 to ensure that the project meets the design guidelines." Since  
3 when does the City have a right to design the building which the  
4 licensed architect has been commissioned to design? Allan Giffen  
5 is violating the U.S. Constitution, amendments 1 and 14. Evidence  
6 to that will be presented to the jury..

7 IX

8 On September 10, 2007 David Tyler, the city planner, wrote to Baker  
9 similar thing about the six unit apartment design at 3726 Wet-  
10 more Ave. Same U.S. Constitutional rights were violated by Tyler.  
11 (1st and 14th Amendments of U.S. Constitution). Tyler also wrote  
12 to Baker on July 24th, 2007 about the similar guidelines. Again,  
13 violating the Amendments to U.S. Constitution.

14 Because of plaintiff's own negligence, breach of contracts (few)  
15 her frivolous lawsuit and conspiracy with the third party defen-  
16 dants who abused their office by violating the first and the  
17 fourteenth amendments of the U.S. Constitution all have done a  
18 great damage to the third party plaintiff by way of stress, pain  
19 and suffering as well as damaging his reputation as an architect,  
20 which in turn has caused losses of commissions and jobs.

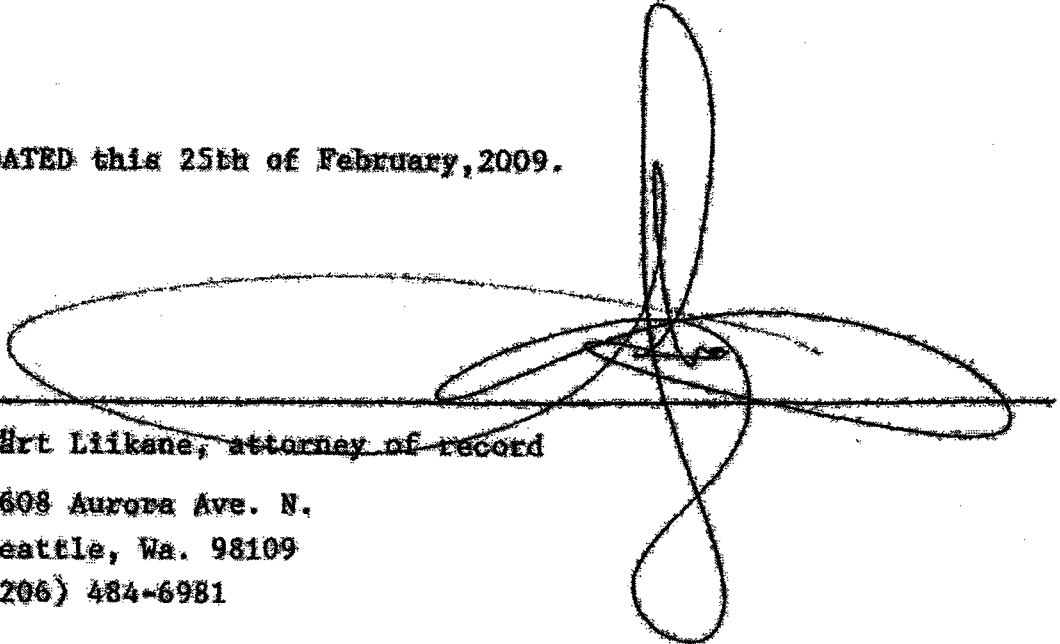
21 WHEREFORE, the third party plaintiff prays for the following  
22 relief:

- 23 1. That all the lawsuits against the third party plaintiff be  
24 dismissed.  
25 2. That the third party plaintiff be awarded \$275,000.00 for  
26 punitive damages.

27  
28 Third party complaint

- 1 3. That the third party plaintiff be awarded \$100,000.00 for  
2 the compensatory and actual damages.
- 3 4. That the third party plaintiff recover all costs and expenses  
4 connected with all the breaches of contracts and third party  
5 defendants' violations of the U.S. Constitution and their abuse  
6 of office.
- 7 5. That the third party plaintiff recover all fees and costs  
8 incurred in defending the frivolous lawsuit by the plaintiff.
- 9 6. That the third party plaintiff recover all the damages and  
10 all the costs and fees in defending the conspirator Ruesken's  
11 lawsuit.
- 12 7. That the third party plaintiff recover all court costs and  
13 such other relief as the jury deems just and equitable.

14  
15  
16 DATED this 25th of February, 2009.

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22 Murt Liikane, attorney of record  
23 1608 Aurora Ave. N.  
24 Seattle, Wa. 98109  
25 (206) 484-6981  
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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR SNOHOMISH COUNTY

MERT LIIKANE,  
Third party plaintiff,  
V.  
CITY OF EVERETT;  
DAVID TYLER;  
ALLAN GIFFEN: JAMES and CATHY  
RUESKEN;  
Third party defendants.

No. 08-2-10255-4  
JURY DEMAND FOR TWELVE

COMES NOW, MERT LIIKANE, the third party plaintiff in this action  
and hereby makes a formal jury demand of twelve and further take  
notice that this demand is timely and that appropriate fees have  
been posted.

DATED this 25th day of February, 2009.

MERT LIIKANE, attorney of record  
1608 Aurora Ave. N.  
Seattle, Wa. 98109  
(206) 484-6981

Jury Demand of Twelve

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